

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

RICHARD TEJEDOR

PLAINTIFF

V.

CIVIL ACTION NO.1:05CV679 LTS-RHW

STATE FARM FIRE AND CASUALTY COMPANY

DEFENDANT

ORDER

The Court has before it the motion [32] of Defendant State Farm Fire and Casualty Company (State Farm) to exclude the testimony of James T. Slider (Slider), an expert witness retained by the plaintiffs. State Farm asserts that Slider has failed to meet the requisite standards for reliability established in *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579, 113 S.Ct. 2786, 125 L.Ed.2d 469 (1993) and *Kumho Tire Co. v. Carmichael*, 526 U.S. 137, 119 S.Ct. 1167, 143 L.Ed.2d 238 (1999).

It is State Farm's contention that Slider's reliance on data derived from a hindcast of Hurricane Katrina and on post-storm interviews with individuals who were present on the Mississippi Gulf Coast during Hurricane Katrina is insufficient to establish a sound factual basis for his opinion. I cannot agree. I have reviewed Slider's report, and I find that the data he used in forming his opinion, including his interviews with individuals who had first hand knowledge of the storm, and the data identified by State Farm, and I find that this information is sufficiently reliable to support the opinions he has expressed. The objections State Farm has raised to Slider's testimony go to its weight, and does not render this testimony inadmissible under *Daubert*, *supra*, and *Kumho Tire Co.*, *supra*.

Accordingly, the motion [32] of State Farm to exclude the testimony of James T. Slider is hereby **DENIED**.

SO ORDERED this 16th of January, 2007.

s/ *L. T. Senter, Jr.*
L. T. Senter, Jr.
Senior Judge